

LAW OFFICES  
HALEY BADER & POTTS P.L.C.  
4350 NORTH FAIRFAX DR., SUITE 900  
ARLINGTON, VIRGINIA 22203-1633  
TELEPHONE (703) 841-0606  
FAX (703) 841-2345  
E-MAIL: haleybp@haleybp.com

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

JOHN WELLS KING  
ADMITTED IN VA AND D.C.

DOCKET FILE COPY ORIGINAL

January 6, 1998

OUR FILE NO.  
1352-102-65

Ms. Magalie R. Salas, Secretary  
Federal Communications Commission  
Washington, D.C. 20554

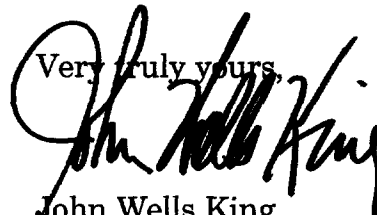
Re: Petition for Rulemaking to  
Amend FM Table of Allotments  
MM Docket No. 97-227  
RM-9159  
Wasilla, Alaska

Dear Ms. Salas:

Enclosed herewith on behalf of KMBQ Corporation, please find an original and four copies of Reply Comments regarding the above-referenced Rulemaking proceeding.

If you have any questions regarding this matter, please do not hesitate to contact the undersigned.

Very truly yours,

  
John Wells King

JWKapp  
Enclosures (5)

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ORIGINAL

Before The  
**Federal Communications Commission**

Washington, D.C. 20554

**In The Matter Of**

Amendment of Section 73.202(b)  
Table of Allotments,  
FM Broadcast Stations  
[Wasilla, Alaska]

MM Docket No. 97-227  
RM-9159

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To: Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Reply Comments of KMBQ Corporation regarding  
Comments filed by  
Pioneer Broadcasting Company, Inc.  
and Chester P. Coleman**

KMBQ Corporation, by its attorneys, hereby submits its Reply  
Comments to Comments filed by Pioneer Broadcasting Company, Inc.  
("Pioneer") and Chester P. Coleman ("Coleman") in the above-referenced  
Rulemaking.<sup>1</sup>

By Petition for Rulemaking filed August 5, 1997, KMBQ Corporation  
("KMBQ"), requested the Commission institute a rulemaking proceeding to  
amend Section 73.202(b) of the Commission's Rules, the Table of FM  
Allotments, so as to allocate Channel 273C2 to Wasilla, Alaska, as that

<sup>1</sup> KMBQ notes that comments and counterproposals were filed on December 19, 1997 by Pioneer ("Pioneer Comments and Counterproposal"), and on December 22, 1997 by Coleman ("Coleman Comments and Counterproposal"). As of this date, the counterproposals have not been placed on public notice by the FCC. KMBQ shall file comments regarding the counterproposals at the appropriate time. KMBQ's Reply Comments herein are directed to the comments filed by Pioneer and Coleman, not to the counterproposals they have advanced.

community's second local FM transmission service ("KMBQ Petition"). In response, the Commission released a *Notice of Proposed Rulemaking* ("NPRM") in the above-captioned proceeding proposing the requested change to the Table of Allotments and soliciting the submission of comments by December 22, 1997.<sup>2</sup> On December 22, 1997, KMBQ filed Comments in this Rulemaking, confirming that, if allotted, KMBQ would apply for the channel and, if granted the construction permit, would build the facility.

Comments and counterproposals were filed on December 19, 1997 by Pioneer, and on December 22, 1997 by Coleman.

**1. Pioneer Comments and Counterproposal**

The Pioneer Comments and Counterproposal proposes allotting channel 265C2 to Wasilla instead of Channel 273C2, and allotting channel 276C1 to Anchorage in lieu of channel 276C2, so as to permit the upgrade of KMXS(FM), Anchorage, Alaska, for which Pioneer is the licensee, from a class C2 to class C1 facility. Pioneer expresses its intentions to apply for and construct the Class C1 upgrade at its existing site, if the Commission makes the requested allocation change.

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<sup>2</sup> *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, for Wasilla, Alaska, Notice of Proposed Rulemaking* in RM-9159, MM Docket No. 97-227, DA 97-2270, released October 31, 1997 ("NPRM").

**2. Coleman Comments and Counterproposal**

The Coleman Comments and Counterproposal proposes allotting channel 273C2 to Sterling, Alaska, as that community's first local FM allotment, rather than to Wasilla. Coleman stated that he intends to file an application to construct a station in Sterling and to construct the station promptly if his application is granted.

**3. Reply Comments of KMBQ Corporation**

For its reply, and without prejudice to comments it may later make on the Pioneer and Coleman counterproposals, KMBQ continues to believe that allotment of a new channel to Wasilla is in the public interest, and believes that Channel 273C2, which KMBQ originally proposed be allotted to Wasilla, should be allotted.

As stated previously, KMBQ's proposal to allot channel 273C2 to Wasilla is consistent with Commission policy and would advance the public interest. It is KMBQ's intention to construct the new facility on channel 273C2 at the same transmitter site from which Station KMBQ(FM), licensed to KMBQ, operates, thus permitting economies of scale.

**4. Error in Pioneer Comments.**

The Pioneer Comments and Counterproposal states that there currently exists no allocation for Wasilla, Alaska.<sup>3</sup> That statement is

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<sup>3</sup> Pioneer Comments and Counterproposal at 2.

inaccurate, as channel 259C1 is allocated to Wasilla. KMBQ(FM), licensed to KMBQ Corporation, is on the air on channel 259C1 at Wasilla.

**5. Conclusion.**

Allocating channel 273C2 to Wasilla, Alaska, will serve the public interest by providing that rapidly growing community with its second local FM transmission service. If the Commission allots the channel, KMBQ will apply for it. Accordingly, KMBQ reaffirms its request to allocate Channel 273C2 to Wasilla, Alaska. As stated previously herein, at the appropriate time KMBQ shall file comments responding to the counterproposals made by Pioneer and Coleman.

Respectfully submitted,

**KMBQ CORPORATION**

By: \_\_\_\_\_

John Wells King  
Amelia L. Brown

Its Attorneys

**HALEY BADER & POTTS P.L.C.**

Suite 900

4350 North Fairfax Drive

Arlington, VA 22203-1633

703/841-0606

January 6, 1998

# CERTIFICATE OF SERVICE

The undersigned, an employee of Haley Bader & Potts P.L.C., hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered\*, to the following:

Peter A. Casciato  
A Professional Corporation  
8 California Street  
Suite 701  
San Francisco, CA 94111  
Attorney for Pioneer Broadcasting Company, Inc.

David Tillotson, Esq.  
4606 Charleston Terrace, N.W.  
Washington, D.C. 20007  
Attorney for Chester P. Coleman

A handwritten signature in cursive script, appearing to read "Pat Payne", is written over a horizontal line.

January 6, 1998